

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/73421-107	08/27/97	NOVEMBER 13, 1997	JCH-801

MPEP 1/0323

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EXAMINER

LEE, M

ART UNIT	PAPER NUMBER
2675	

DATE MAILED: 03/23/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 08/942,957	Applicant(s) John C. NOVOGROD
Examiner MICHAEL G. LEE	Group Art Unit 2876

Responsive to communication(s) filed on _____

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-58 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

_____ is/are allowed.

Claim(s) _____ is/are rejected.

Claim(s) _____ is/are objected to.

Claim(s) _____ are subject to restriction or election requirement.

Claims 1-58

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Part III DETAILED ACTION

Election/Restriction

1 1. This application contains claims directed to the following patentably distinct species of the
2 claimed invention:

3 Group I: Figures 2-8, drawn to a specific structural limitation of a portable hand-held
4 negotiable instrument dispenser.

5 Group II: Figure 10, drawn to the specific of a fixed location negotiable instrument
6 dispenser.

7 Group III: Figure 14, drawn to a specific structural limitation of a system and method of
8 requesting and means for dispensing a negotiable instrument by means of utilizing a dual tone
9 multi-frequency tone.

10 Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for
11 prosecution on the merits to which the claims shall be restricted if no generic claim is finally held
12 to be allowable. Currently, no claim appears generic.

13 Applicant is advised that a response to this requirement must include an identification of
14 the species that is elected consonant with this requirement, and a listing of all claims readable
15 thereon, including any claims subsequently added. An argument that a claim is allowable or that
16 all claims are generic is considered nonresponsive unless accompanied by an election.

17 Upon the allowance of a generic claim, applicant will be entitled to consideration of claims
18 to additional species which are written in dependent form or otherwise include all the limitations
19

of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election,
applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct,

applicant should submit evidence or identify such evidence now of record showing the species to
be obvious variants or clearly admit on the record that this is the case. In either instance, if the
examiner finds one of the inventions unpatentable over the prior art, the evidence or admission
may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. Applicant is advised that the response to this requirement to be complete must include an
election of the invention to be examined even though the requirement be traversed (37
CFR 1.143).

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the
inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently
named inventors is no longer an inventor of at least one claim remaining in the application. Any
amendment of inventorship must be accompanied by a diligently-filed petition under 37
CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

Conclusion

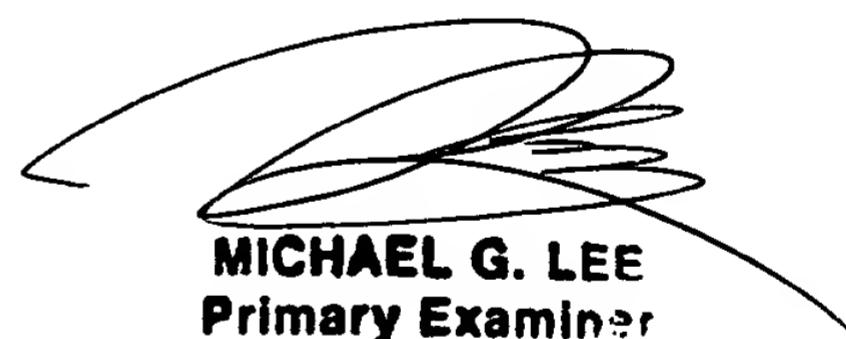
4. Any inquiry concerning this communication or earlier communications from the examiner
should be directed to **Michael G. Lee** whose telephone number is (703) 305-3503. The examiner
can normally be reached between the hours of 6:30AM to 4:00PM Monday thru Thursday and
every other Friday (first Friday of the bi-week).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald T. Hajec, can be reached on (703) 308-4075. The fax phone number for this Group is (703)308-5841 or (703) 308-7722.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.lee@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



MICHAEL G. LEE
Primary Examiner

MARCH 22, 1999